

SN.09 /778,993

ATTORNEY DOCKET NO. CANO:019

IN THE DRAWINGS

Applicants submit corrected formal Figs. 1 and 14, namely changing reference number "41" to --100-- in Fig. 1 and replacing "YES" with --NO-- and "NO" with --YES-- in Fig. 14, for the examiner's approval. These changes correct apparent labeling errors.

SN.09 /778,993

ATTORNEY DOCKET NO. CANO:019

REMARKS

Claims 1-27, 32, and 37-39 are now pending in this application for which applicants seek reconsideration.

Amendment

A new, more descriptive title is provided. Figs. 1 and 14 have been amended to correct apparent labeling errors.

Claims 28-31 and 33-36 have been canceled. Claims 1, 2, 6, 7, 11-15, 19, 20, 24-27, 32, and 37-39 have been amended to clarify and improve their form. Specifically, independent claims 1, 6, 11-14, 19, 24-27, 32, and 37-39 have been amended to recite that the insert sheets are stacked in a predetermined order for insertion between the sheets having images formed thereon. Moreover, independent claims 1, 6, 14, 19, 27, and 32 further recite feeding the insert sheet onto a different tray from the discharge tray to which the first insert sheet is discharged when the insert sheet is not the first insert sheet. No new matter has been introduced.

Art Rejection

Claims 1-39 were under 35 U.S.C. § 102(b) as unpatentable over Inoue (USP 5,159,546). Applicants traverse this rejection because Inoue would not have disclosed or taught controlling the insert sheet as set forth in the independent claims.

Independent claims 1, 6, 11-14, 19, 24-27, 32, 37-39 call for stacking a plurality of insert sheets for inserting between the sheets having images formed thereon in a predetermined order.

Inoue discloses that insert (i.e., interleaving) sheets can be selected in a non-default mode for inserting between the overhead head projector (OHP) sheets. The interleaving sheets are white paper. That is, they are identical to each other. See column 41, lines 61 to 65. As the insertion sheets are identical, Inoue would not have disclosed or taught stacking the interleaving sheets in a predetermined order. Moreover, there would not have been any motivation for Inoue to stack identical insert sheets in any particular order since they are identical.

Independent claims 1, 14, 19, 27, and 32 further call discharging inserts sheet that are

SN.09/778,993

ATTORNEY DOCKET NO. CANO:019

not the first insert sheet onto at least one tray other than the tray onto which the first insert sheet is discharged. Inoue also would not have disclosed or taught this feature. Moreover, there would not have been any motivation for Inoue to detect the first insert sheet, or use separate tray(s) for receiving the insert sheets that are not the first insert sheet since Inoue's insert sheets are identical.

Independent claims 6, 19, and 32 further call for interrupting the sheet inserting operation when at least one of the insert sheets becomes jammed, and when the insert sheet is not the first insert sheet first after the apparatus has recovered from the interruption, discharging the insert sheets onto at least one tray other than the tray onto which the first insert sheet is discharged. These claims further call for discharging the insert sheets up to an insert sheet immediately preceding the same type of sheet as the at least one jammed insert sheet. With such features, when the fed insert sheet is not the first insert sheet after the apparatus has recovered from the interruption, insert sheets can be discharged onto a tray(s) separate from the tray onto which the first insert sheet is discharged, until the first insert sheet is detected. And the insert sheets can be discharged up to the insert sheet immediately preceding the same type of sheet as the at least one jammed insert sheet. This enables the insert sheets, which are inserted in a predetermined order, to be reliably inserted in designated positions after recovering from jamming of an insert sheet or sheets.

Inoue further would not have disclosed or taught the interruption and recovery operation set forth in claims 6, 19, and 32.

Independent claims 11-13, 24-26, and 37-39 further call for feeding of blank sheets on which images are to be formed to the image forming means in response to detection of discharging of the insert sheets and/or the sheets having image formed thereon. Accordingly, even when the recovery process is carried out after jamming of an insert sheet or sheets or an image formed sheet or sheets, it is not necessary to carry out the process of rearranging the order in which insert sheets are fed again, thereby simplifying the sheet feeding control.

Inoue in contrast would not have disclosed or taught feeding subsequent sheets in response to detection of discharging of the insert sheets and/or the image-formed sheets. Accordingly, claims 11-13, 24-26, and 37-39 further distinguish over Inoue.

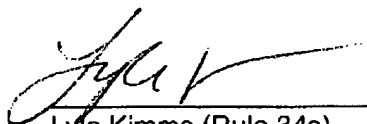
SN.09 /778,993

ATTORNEY DOCKET NO. CANO:019

Conclusion

Applicants submit that claims 1-27, 32, and 37-39 patentably distinguish over Inoue, and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

Date: January 18, 2005
Lyle Kimms (Rule 34a)
Registration No. 34,079

ROSSI, KIMMS & McDOWELL LLP
P.O. Box 826
Ashburn, VA 20146-0826
Phone: 703-726-6020